

**UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,)	CASE NO. 8:08CR319
)	
Plaintiff,)	
)	
vs.)	FINAL ORDER OF
)	FORFEITURE
)	
MARCUS L. BROWN,)	
)	
Defendant.)	

This matter is before the Court on the United States' Motion for Final Order of Forfeiture (Filing No. 62). The Court reviews the record in this case and, being duly advised in the premises, find as follows:

1. On January 27, 2009, the Court entered a Preliminary Order of Forfeiture pursuant to the provisions of Title 26, United States Code, Sections 5841, 5861(d) and 5871, Title 18, United States Code, Section 924(d) and Title 28, United States Code, 2461(c), 5872, based upon the Defendant's plea of guilty to Counts III, IV and V of the Indictment filed herein. Count III charges the Defendant with possession of an unregistered firearm less than sixteen inches long, in violation of 26 U.S.C. §§ 5841, 5861(d) and 5871. Count IV of said Indictment sought the forfeiture, pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c), of a Remington Arms shotgun model 870, serial number 116984V, on the basis it was a firearm involved or used in the knowing commission of the offense charged in Count III. The Defendant also agreed to waive all right, title and interest he may have had in the firearms described in Counts II and VIII of the Indictment, namely, a Cobra Enterprises, Inc. semi-automatic pistol, model 380, serial number CPO24554, and the Springfield, semi-automatic pistol, model XD-40, serial number US497461.

2. Notice of Criminal Forfeiture was posted on an official Government internet site (www.forfeiture.gov) for at least thirty consecutive days, beginning on January 23, 2010, as required by Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty or Maritime and Asset Forfeiture Claims. A Declaration of Publication was filed herein on March 26, 2010 (Filing No. 61).

3. The Court has been advised by the United States no Petitions have been filed. From a review of the Court file, the Court finds no Petitions have been filed.

IT IS ORDERED:

A. The Plaintiff's Motion for Final Order of Forfeiture (Filing No. 62) is hereby sustained.

B. All right, title and interest in and to the Remington Arms shotgun model 870, serial number 116984V, a Cobra Enterprises, Inc. semi-automatic pistol, model 380, serial number CPO24554, and the Springfield, semi-automatic pistol, model XD-40, serial number US497461, held by any person or entity, is hereby forever barred and foreclosed.

C. The Remington Arms shotgun model 870, serial number 116984V, a Cobra Enterprises, Inc. semi-automatic pistol, model 380, serial number CPO24554, and the Springfield, semi-automatic pistol, model XD-40, serial number US497461, be, and the same hereby are, forfeited to the United States of America .

D. The United States Bureau of Alcohol, Tobacco, Firearms and Explosives for the District of Nebraska is directed to dispose of said properties in accordance with law.

DATED this 20th day of April, 2010.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge